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| FORM PTO-1390 (Modified)<br>(REV 11-98)   |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER<br><b>113308-002</b>                  |  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371  |  |   |  | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br><b>09/807709</b> |  |
|   |  |   |  |  |  |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP99/07911</b>  |  | INTERNATIONAL FILING DATE<br><b>15 October 1999</b>     |  | PRIORITY DATE CLAIMED<br><b>20 October 1998</b>                |  |
| TITLE OF INVENTION<br><b>PROTEIN FOR TREATMENT OR PREVENTION OF A GI TRACT DISORDER</b>   |  |   |  |  |  |
| APPLICANT(S) FOR DO/EO/US<br><b>Karine VIDAL; Anne DONNET; and Eduardo SCHIFFRIN</b>  |  |   |  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |  |  |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> <li>8. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>10. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol> <p><b>Items 13 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input checked="" type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>20. <input checked="" type="checkbox"/> Other items or information:</li> </ol> |  |   |  |  |  |
| <b>Written Opinion;<br/>Response to Written Opinion; and<br/>Return Receipt Postcard</b>  |  |   |  |  |  |

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| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br><b>09/807709</b> ) | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP99/07911</b> | ATTORNEY'S DOCKET NUMBER<br><b>113308-002</b> |
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|---|---------------------|---------------------|-------------|----------------------------------|----|
| 21. The following fees are submitted:   |                     |                     |             | <b>CALCULATIONS PTO USE ONLY</b> |    |
| <b>BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5)) :</b>   |                     |                     |             |                                  |    |
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1,000.00</b> |                     |                     |             |                                  |    |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$860.00</b>   |                     |                     |             |                                  |    |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$710.00</b>   |                     |                     |             |                                  |    |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$690.00</b>  |                     |                     |             |                                  |    |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b>  |                     |                     |             |                                  |    |
| <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>   |                     |                     |             | <b>\$860.00</b>                  |    |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).                                 |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>CLAIMS</b>   | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b> | <b>RATE</b> |                                  |    |
| Total claims  | 22 - 20 =           | 2                   | x \$18.00   | <b>\$36.00</b>                   |    |
| Independent claims  | 4 - 3 =             | 1                   | x \$78.00   | <b>\$78.00</b>                   |    |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/>   |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                     |                     |             | <b>\$974.00</b>                  |    |
| Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>  |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>SUBTOTAL =</b>   |                     |                     |             | <b>\$974.00</b>                  |    |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than _____ <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).                            |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>TOTAL NATIONAL FEE =</b>   |                     |                     |             | <b>\$974.00</b>                  |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/>  |                     |                     |             | <b>\$0.00</b>                    |    |
| <b>TOTAL FEES ENCLOSED =</b>  |                     |                     |             | <b>\$974.00</b>                  |    |
|   |                     |                     |             | <b>Amount to be:</b>             | \$ |
|   |                     |                     |             | <b>refunded</b>                  |    |
|   |                     |                     |             | <b>charged</b>                   | \$ |

- ☒ A check in the amount of **\$974.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **02-1818** A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

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30,142

REGISTRATION NUMBER

April 17, 2001

DATE

**SPECIFICATION****TITLE**

**"PROTEIN FOR TREATMENT OR PREVENTION  
OF A GI TRACT DISORDER"**

5

**BACKGROUND OF THE INVENTION**

The present invention relates to a new isolated protein from mature human milk; a composition comprising it; a method for manufacture of the protein or the composition; use of the protein, a variant or fragment thereof in the manufacture of a medicament or nutritional product for the treatment or a gastro-intestinal (hereinafter GI) tract disorder; and a method of treatment or prevention of the disorder which comprises administering an effective amount of the protein or composition..

Within the context of this specification the word "comprises" is taken to mean "includes, among other things". It is not intended to be construed as "consists of only".

Within the context of this specification, the terms AMP, CMP, GMP and UMP are taken to mean respectively the monophosphates of adenosine, cytidine, guanosine and uridine and their nucleotide equivalents which include polymeric RNA, ribonucleosides, ribonucleoside containing adducts and di-and triphosphate ribonucleotides.

It is well known that infant formulae are generally designed to resemble human milk as closely as possible. However, a plurality of constituents in human milk are bioactive and, because of synergies among the constituents, the inclusion of just one or a few of them in the infant formula may not produce the bioactivity observed in human milk.

In addition, bioactivity of the constituents may be affected by heat treatment for sterilisation and long term storage of the formula.

These problems are compounded in view of the fact that not all of the constituents have been identified and there are variations in the concentration of components which are present, possibly due to variations of mother's diets. Therefore there are difficulties in formulating infant formulae which resemble human milk.

It is known that pharmaceutical compounds have wide application and some may be used in the treatment of patients suffering from disorders of the GI tract. However, a number of the known compounds are not naturally occurring and in view of this, patients may be reluctant to be administered them. In the light of this there is a need for the provision of new products which include naturally occurring compounds that have a nutritional or therapeutic effect.

A problem with some commercially available products is that they give rise to side effects such as nausea, bloating, cramping, allergy etc. Clearly there is a need for a product which does not give rise to these side effects.

The method of administration of a nutritional or therapeutic compound is an important consideration. Intravenous or subcutaneous administration requires expertise and compared to oral administration it is not as safe, convenient or acceptable to the patient. In the light of these concerns it is clear that there is a need for new nutritional or therapeutic products which can be administered orally.

The protein, CD14, is a myeloid cell-surface glycoprotein which acts as a receptor for bacterial lipopolysaccharide. It is well documented that monocyte/macrophage activation by lipopolysaccharides via membrane CD14 (mCD14) triggers the release of a variety of pro-inflammatory, immunoregulatory and cytotoxic molecules such as TNF- $\alpha$ , IL-1, IL-6, IL-8, oxygen radical products and nitric oxide. mCD14 lacks transmembrane and cytoplasmic domains. It is anchored to the cell membrane by a glycosyl-phosphatidylinositol linkage.

In addition to the membrane bound form, soluble CD14 (sCD14) has been identified in normal human blood serum, hereinafter referred to as serum sCD14. Serum sCD14 exists in two forms, serum sCD14 $\alpha$  ( 49 kDa) and serum sCD14 $\beta$  (55 kDa). It has been demonstrated that serum sCD14 binds lipopolysaccharides and mediates the lipopolysaccharide-induced activation of cells that lack mCD14, including epithelial and endothelial cells and astrocytes, as well as mCD14 expressing cells, such as monocytes and neutrophils.

The main source of serum sCD14 in normal human plasma is the monocyte. Monocytes release the two isoforms of serum sCD14,  $\alpha$  and  $\beta$ , into plasma. The former is produced by limited proteolysis from membrane-bound CD14 and the latter is directly derived from the intracellular compartment. The sCD14 $\beta$ :sCD14 $\alpha$  ratio in

culture supernatant of normal monocytes is approximately 2:1. However, in plasma from normal donors the serum sCD14 $\alpha$  levels are either similar to, or even higher than, those of serum sCD14 $\beta$ , suggesting that the amount of serum sCD14 $\beta$  released *in vivo* is either lower or other cell types may contribute to the plasma pool.

5        A substantial concentration of serum sCD14 is found in normal human plasma, 2-3  $\mu$ g/ml. In sera of septic patients global concentrations of serum sCD14 are elevated, reaching around 4  $\mu$ g/ml. It has been reported a correlation between high levels of serum sCD14 at the onset of septic shock and poor outcome in septic patients. WO98/22580 discloses the presence of a protein in bovine colostrum which has  
10    some amino acid sequence similarity with human serum sCD14. It is speculated that this protein could be the bovine variant of CD14. Figure 7 of the document shows the differences between the amino acid sequences of bovine colostrum whey CD14, and the sequences of human serum CD14 and mouse serum CD14 which were known in the literature. In addition, the document describes affinity purification of a CD14 protein  
15    from human colostrum using a sepharose column having the monoclonal antibody 63D3 bound to it. However, the document does not describe an isolated CD14 variant purified from mature milk. Instead, colostrum is disclosed as the source of the protein. This is early milk from about the first one or two days post partum. It is yellow in comparison to the whiter colour of mature milk, it comprises a higher lipid content  
20    than mature milk and has a different nutritional value. It is well known that the mammary gland of first few days post partum undergoes a process of "physiological inflammation" and a large number of inflammatory cells such as neutrophils are present. This process allows leakage of serum factors including serum CD14 into the colostrum. Crucially, in view of this, the disclosure of WO98/22580 is considered to  
25    disclose purification of serum sCD14 or a complex mixture of proteins including serum CD14 from colostrum.

### **SUMMARY OF THE INVENTION**

Remarkably, a new variant of CD14 has now been identified. It has been isolated from mature human milk. Surprisingly, this new variant is not the same as  
30    serum CD14. Indeed, as described below, it differs from the known CD14 variants including the variants disclosed by WO98/22580 at least insofar as the new protein

comprises no O- glycosylation. In stark contrast, the known CD14 variants including human serum sCD14 have both O- and N- glycosylation. Furthermore, it has now been found that CD14, a variant or fragment thereof retaining the bioactivity of CD14, or a composition comprising it is effective in the treatment of GI tract disorders.

5           Accordingly, in a first aspect, the invention provides an isolated protein having no O-glycosylation and at least 70% homology of amino acid sequence with human serum CD14.

In a second aspect, the invention provides a method of production of the protein which comprises isolating it from mature milk.

10           In a third aspect, the invention provides a composition which comprises the protein excluding mature milk.

In a forth aspect, the invention provides a method of production of the composition which comprises adding an embodiment of the protein according to the invention.

15           In a fifth aspect the invention provides use of a CD14 variant or fragment that retains the bioactivity of CD14 in the manufacture of a nutritional product or medicament for the treatment or prevention of a GI tract disorder.

In a sixth aspect the invention provides a method of treatment or prevention of a GI tract disorder which comprises administering an effective amount of a CD14  
20           variant or fragment thereof which retains the bioactivity of CD14.

The new protein has the unique capacity of being capable of mediating bacterial interaction with intestinal surfaces. Furthermore, if the new variant is included in an infant formula, the formula closely resembles mature human milk in its protective capacity of the intestinal surface.

25           Preferably, the amino acid sequence of an embodiment of the protein is at least about 90% homologous with the amino acid sequence of human serum CD14, more preferably at least about 95% homologous, even more preferably it is substantially identical. In alternative embodiments the amino acid sequence preferably has these degrees of homology with the amino acid sequence of bovine or buffalo CD14.

30           Preferably, an embodiment of the protein has at least one N- glycosylation site. Preferably it has a plurality of N- glycosylation sites, more preferably from about

1 to about 10. Even more preferably, an embodiment of the protein has from about 3 to about 5 N- glycosylation sites, most preferably 4.

Preferably, the presence of an embodiment of the protein is not revealed in a Western blot by the known commercially available anti-CD14 monoclonal antibody MY4.

Preferably an embodiment of the protein is isolated from mature milk. More preferably it is isolated from mature human, bovine or buffalo milk. Most preferably the protein is isolated mature milk sCD14 (hereinafter referred to as mmsCD14). In alternative embodiments it is produced recombinantly by standard techniques.

Preferably an embodiment of the composition comprises an embodiment of the protein together with a physiologically acceptable carrier, adjuvant or diluent. More preferably it comprises a compound extracted from milk, even more preferably a plurality of compounds extracted from milk. Most preferably the composition is an infant formula or enteral composition.

Preferably an embodiment of the composition comprises a casein fraction and milk fat. These two components of milk based products provide the advantage that they can preserve molecules from the proteolytic activity of the digestive tract. The biological activity of the protein according to the invention takes place in the small intestine after the passage through the gastric environment.

Preferably an embodiment of the composition comprises a lipopolysaccharide binding protein (LBP), decay accelerating factor (DAF, CD55), bactericidal permeability increasing factor (BPI) or a mixture thereof. The advantage provided by these molecules with a protein according to the invention is that they participate in molecular recognition of the bacterial products and/or complement its defensive function.

#### **BRIEF DESCRIPTION OF THE FIGURES**

The invention will now be described with reference to the accompanying drawings in which:

Figure 1A illustrates a comparative SDS-PAGE pattern of sCD14 of mature human milk (several dilutions (from 1:6 to 1:100) and in normal human plasma serum (NP, 1:50), with a rabbit polyclonal antibody.

Figure 1B illustrates the lack of milk CD14 detection by an antibody specific for the C-terminus peptide of the  $\beta$  serum CD14 molecule.

Figure 2 shows interleukine-8 release by undifferentiated HT29 cells following a 24h incubation with 100 ng/ml of *E. Coli* LPS in the presence of either 10% human serum (HS, pooled serum AB<sup>+</sup>) or 1.7% human milk (HM, pooled mature human milk). To verify the role of sCD14 in induction, 20  $\mu$ g/ml of monoclonal anti-CD14 antibody (MY4) or isotype control (IgG2b) was added to serum or milk before stimulation with LPS.

Figure 3 shows interleukine-8 release by undifferentiated HT29 cells following a 24h incubation with  $2.5 \times 10^6$  *E. Coli* in the presence of either 10% human serum (HS, pooled serum AB<sup>+</sup>) or 1.7% mature human milk (HM, pooled breast milk). The role of sCD14 was confirmed by the inhibition of the IL-8 production when 20  $\mu$ g/ml of monoclonal anti-CD14 antibody (MY4) was added to serum or milk before stimulation with LPS.

#### **DETAILED DESCRIPTION OF THE INVENTION**

This invention is based upon the finding that mature milk comprises an unknown variant of CD14. The new molecule has a high homology at the amino acid sequence with the serum sCD14 molecule, however it has a different gel mobility that either of the two serum soluble forms, is the secretory product of the mammary gland epithelial cell, has a different glycosylation pattern with regard to the known forms, and has a unique capacity for mediating bacterial interaction with intestinal surfaces.

Furthermore, the invention relates to the use of the new form of soluble CD14 molecule, present in human, bovine and buffalo milk, in infant formula, clinical nutrition and animal feed.

In contrast with serum sCD14, where the  $\alpha$  and  $\beta$  forms have been described, in human milk only a single major species can be detected. It differs in its tissue of origin -it is produced by the mammary gland epithelial cells- and the electrophoretic mobility.

Human serum and milk samples were analysed by SDS-PAGE under reducing conditions (Phastsystem®, Pharmacia) followed by western blotting with rabbit



polyclonal anti CD14 antibody (Ab) and detection by enhanced chemiluminescence method (Amersham). The anti-CD14 monoclonal Ab, MY4, extensively used in this field for the detection of membrane-bound and soluble serum CD14 –both  $\alpha$  and  $\beta$  –, failed to detect sCD14 in human milk.

5           The amino acid sequence including the N- and C-terminus ends of the mature human milk derived molecule is substantially identical to that of serum CD14 showing that milk and serum CD14 are highly homologous.

N- and C-terminal sequence analysis shows that milk CD14 is not posttranslationally truncated and corresponds therefore to the  $\beta$  form found in serum.

10       But, whereas the  $\beta$ -form has now been found to migrate on SDS-PAGE with about 55KDa, milk CD14 migrates on SDS-PAGE only with about 48 KDa. This difference indicates that mature human milk and serum CD14 have different glycosylation patterns. Indeed, whereas CD14 has been reported to be N- and O-glycosylated, deglycosylation assays with milk CD14 showed no O-glycosylation. The presence of  
15       only N-glycosylation was confirmed by LC-MS analysis of N-glycosidase F treated mmsCD14 in that the resulting molecular mass corresponded to the theoretical molecular mass based on the published amino acid sequence. The main form of mature human milk sCD14 is therefore different from blood sCD14 that was reported to be N- and O-glycosylated.

20           An optical biosensor assay (Iasys, Affinity Sensors, Cambridge, UK) which implements advanced resonant mirror optical biosensor technology was utilised to study the specific interaction of human serum CD14 and mature human milk CD14 with the mAb MEM-18 (Biogenesis, Poole, UK).

25           The MEM-18 mAb and a control isotype antibody (mouse IgG1, BectonDickinson) were immobilised in 10 mM Na-acetate at pH 5 on a dual well carboxymethyl dextran matrix of an IAsys cuvette using standard EDC [1-ethyl-3-(3-dimethyl-aminopropyl) carbodiimide-HCl] and NHS (*N*-hydroxysuccinimide) coupling chemistry and subsequent blocking with ethanolamine. Running buffer was PBS/Tween 20.

30           Human serum (diluted 1:5 in PBS/Tween 20) and mature human milk (diluted 1:30 in PBS/Tween 20) samples (5  $\mu$ L) were pipetted into the cuvette wells and their respective binding to both the specific MEM-18 and control surface were logged with

time. It was observed that the mature human milk sample yielded an approximate 10-fold decrease in biosensor response within the first 2-3 minutes of protein-antibody interaction compared to that of the human serum sample. This indicates that the milk-borne CD14 has different/slower binding kinetics to MEM-18 than the serum-derived  
5 CD14.

The effect of milk-borne sCD14 on LPS stimulation of the mucosal surface, specifically the epithelial layer, was studied with IEC models *in vitro*. More specifically the IEC production of the cytokines IL-8 and TNF- $\alpha$  following endotoxin challenge has now been analysed. Three different human IEC lines, HT-29, SW620  
10 and Caco-2 were used.

It is known that lipopolysaccharide activation of human endothelial and epithelial cells is mediated by lipopolysaccharide binding protein and serum sCD14. LPS induces IL-8 secretion by IEC in the presence of human serum. This effect is maximum at an LPS concentration of 100 ng/ml. mmsCD14 has now been tested for  
15 its capacity to mediate LPS effects on IEC. Different mature human milk concentrations were assayed in IEC serum-free culture media containing a fixed dose of LPS (100 ng/ml). IL-8 production increased with increasing concentrations of human milk (0-10%).

The contribution of mmsCD14 to stimulation of HT-29 cells by gram-negative  
20 non-pathogenic *Escherichia coli* has now been tested. An increasing quantity of IL-8 secretion has been observed with increasing concentrations of bacteria in the range of  $1 \times 10^3$ , to  $5 \times 10^6$  CFU per ml in the presence of 2% human milk. Furthermore, stimulation with  $10^6$  E. coli/ml of cell culture in the presence of 2% human milk induced ENA-78. Furthermore stimulation of intestinal epithelial cells with LPS and  
25 E. coli in the presence of milk-derived sCD14 induced expression of the  $\beta$ -defensin, HBD-2, that participates in the protection of mucosal surfaces against bacteria. Furthermore, mmsCD14 is more efficient than serum sCD14 in its stimulatory function of intestinal epithelial cells by bacteria or lipopolysaccharide.

An embodiment of the enteral composition of the invention preferably  
30 comprises an effective amount of mmsCD14, and preferably contains at least about 25  $\mu$ g/ml of mmsCD14. The other components of the enteral composition are those

conventionally added to infant formulae or enteral products and may be at least one of those described below.

Preferably the mmsCD14 may be any form of mmsCD14, but is preferably the form found in mature human milk and recognised by a polyclonal rabbit antibody.

5 This form has a molecular mass of approximately 48 KDa, an electrophoretic mobility faster than the serum alpha form and cannot be recognised by the commercially available anti-CD14 antibody MY4. Alternatively the mmsCD14 may be extracted from bovine, buffalo, goat or sheep milk. In addition, it can be produced by recombinant microorganisms; for example recombinant fungi or yeast.

10 The supplementation of baby formula with this mmsCD14 has physiological benefit during the baby's neonatal period. This period is characterised by bacterial challenge due to bacterial colonisation and antigen challenge that could lead to inflammation, septic conditions or an allergic reaction.

The invention includes the use of a CD14 variant or fragment thereof having  
15 CD14 activity of mediating interaction of bacteria with an intestinal surface in the manufacture of a composition for the treatment or prevention of a disorder of the gastro-intestinal tract of a mammal. In particular the disorder is selected from the group which comprises inflammatory bowel disease, Chron's disease, ulcerative cholangitis, coeliac disease, intestinal bacterial overgrowth, chronic hepatitis, necrotising  
20 enterocolitis, neonatal sepsis, infectious diarrhoea, disbalance of the intestinal microflora, allergic reactions to food and bacterial translocation from the gut to other compartments of the body. Mammals most likely to develop these disorders are premature, mal-nourished, immuno-depressed or mammals under trauma conditions.

Preferably the CD14 variant or fragment thereof is an embodiment of the  
25 protein according to the invention.

An embodiment of a composition according to the invention preferably comprises about 1.8 to about 4.5 g protein/100 kcal, preferably about 1.8 to about 3.6 g/100 kcal. The protein may be any suitable protein such as cow's milk protein, casein, whey, soy protein, egg protein, pea protein or a mixture thereof. The protein may be in  
30 the form of a salt, such as a caseinate. It may be an isolate or concentrate. Furthermore, the protein may be in intact or hydrolysed form. Alternatively or in

addition, free amino acids may be used. Preferably a mixture of the whey : casein mass ratio is 60:40.

Whey protein can be prepared to have reduced allergenicity using conventional techniques such as described in U.S. Patent 5039532. For example, it can be prepared  
5 by electrodialysis or ultrafiltration.

An embodiment of a composition according to the invention preferably comprises about 7g to about 14g/100kcal of carbohydrate or provide 40 to about 60% of calories as carbohydrate. The carbohydrate can be supplied in a conventional form including simple form or complex form. Simple carbohydrates include lactose,  
10 maltose, sucrose and corn syrup solids. Complex carbohydrates include starches and maltodextrins. Starch may be precooked or pregelitanised.

An embodiment of a composition according to the invention preferably comprises about 3.3 to 6.5 g/100 kcal of fat. The fat can be supplied in a suitable form including saturated fat, monounsaturated fat (MUFA), polyunsaturated fat (PUFA) or a  
15 mixture thereof. Preferably, fat is provided as about 1/3 saturated fat, about 1/3 MUFA and about 1/3 PUFA. Saturated fat includes butyric, valeric, caproic, caprylic, decanoic, lauric, myristic, palmitic, stearic, arachidic, behenic and lignoceric fatty acids. MUFAs include palmitoleic, oleic, elaidic, vaccenic and erucic fatty acids. Preferred PUFAs are C18, C20 or C22  $\omega$ -3 or C18, C20 or C22  $\omega$ -6 polyunsaturated  
20 fatty acids. Most preferred are the C20 or the C22  $\omega$ -3 or C20 or C22  $\omega$ -6 polyunsaturated fatty acids. These include not only arachidonic acid (ARA) but also eicosapentaenoic acid (EPA) and docosahexaenoic acid (DHA).

More than one PUFA can be added. In this case, two or more PUFAs may be from a different source, they can be added either separately or together during  
25 preparation of the composition according to the invention. For example, fish oil containing DHA may be mixed with one or more microbial oils containing another PUFA (e.g. ARA).

An embodiment of a composition according to the invention preferably comprises a carbohydrate : lipid weight ratio which is greater than 60:40. Preferably  
30 the ratio of carbohydrate to lipid is between 65:35 and 90:10. More preferably still it is between 70:30 and 85:15.

An embodiment of a composition according to the invention preferably comprises a nutritionally acceptable quantity of a minerals or vitamin selected from the group which comprises calcium, phosphorus, potassium, sodium, chloride, magnesium, iron, copper, zinc, manganese, iodine, selenium, vitamin A, vitamin D,  
5 vitamin E, vitamin K1, vitamin B1, vitamin B2, vitamin B6, vitamin B12, vitamin C, pantothenic acid, niacin, folic acid, biotin, choline, inositol or a mixture thereof.

An embodiment of a composition according to the invention preferably comprises an additional nutritional factor selected from taurine, carnitine, etc. The composition may contain at least about 7.5 mmoles carnitine /100 kcal.

10 An embodiment of a composition according to the invention preferably comprises one or more of AMP, CMP, GMP or UMP.

An embodiment of a composition according to the invention preferably comprises a pharmaceutically acceptable filler, color additive, taste modifier, non-antagonistic antibiotic, pharmaceutical, medicament or mixture thereof.

15 An embodiment of a composition according to the invention is preferably in a form suitable for ingestion orally or for administration by enteral tube feeding. More preferably it is an oral formulation.

A composition of the present invention is preferably formulated to provide about 600 to about 800 kcals/litre, more preferably about 670 kcals/litre. The total  
20 volume per dose is about 50 to about 200 ml preferably about 100 to about 150 ml.

The composition is preferably a solid, in which case it is preferably dried, and optimally in the form of a powder. Preferably, it is miscible or dispersible in an aqueous liquid, such as water.

Alternatively the composition is a liquid which is ready for use, or a  
25 concentrated liquid which can be diluted before use, preferably with water.

An embodiment of a composition according to the invention is preferably prepared by a method which comprises the following steps; (1) Standardising pasteurised milk (skimmed, evaporated or whole milk) by the addition of whey protein concentrate, minerals, water-soluble vitamins, trace elements and carbohydrates at a  
30 high temperature, for example 60°C, (2) mixing vegetable oil, oil-soluble emulsifier, at least one oil-soluble vitamin and antioxidant at high temperature, for example 60°C, (3) adding the oil mixture obtained from (2) to the standardised milk obtained from (1)

with sufficient agitation to allow mixing, (4) homogenising the mixture obtained in (3) in two stages at high temperature and pressure, for example 60°C at 150 and then 30 bar, (5) cooling the emulsion obtained under (4) to a low temperature, for example 5°C, (6) adding water-soluble vitamins, minerals and trace elements to the cooled emulsion if desired, (7) sterilising the emulsion obtained under (6) on-line at ultra high temperature (UHT) and/or in an appropriate container to obtain a formula in the form of a sterile liquid or pasteurising and spray drying the emulsion (6) to give a spray dried powder which is filled into appropriate containers and (8), if desired, adding other dry ingredients, e.g. vitamins, minerals, trace elements, whey protein concentrate and carbohydrates to the spray dried powder by dry mixing.

The enteral composition may be supplemented with an embodiment of the protein according to the invention by adding it to the oil during processing. This provides the advantage that a production plant, or the process need not be significantly modified. However, adding the protein at such an early stage can have disadvantages because it may be degraded. In the light of this, alternatively it is added at a later stage. This provides the advantage that exposure of the protein to unfavourable conditions is minimised. Preferably, the protein is added after drying.

The protein can be added in a variety of forms. It may be added in solution, for example in a lipid and/or an oil composition. The oil may contain solely the protein or it may contain a number of other ingredients. If a solid composition is used, the protein may be encapsulated in capsules or it may be in a powdered form.

In an embodiment of a process according to invention it is preferred that the starting oil phase does not contain any PUFAs. Preferably they are added later, preferably after drying.

The enteral composition and the use of this enteral composition according to the invention are described in further detail in the tests and examples described below where percentages are given by weight, except where otherwise indicated.

**Test 1: Ion exchange chromatography for purification of mmsCD14 from mature milk (bovine, buffalo, goat or sheep) and supernatant of CD14 cDNA transfected cells.**

The purification of mmsCD14 from milk or culture supernatant of transfectant cells was performed by ion exchange chromatography. Diluted milk samples or conditioned medium of CD14 cDNA transfectant cells were applied to a Mono Q10/10 column equilibrated with 20mM ethanolamine pH 9.5 . After washing, the column was subjected to a linear gradient of NaCl (0-500mM) in the equilibrating buffer. Fractions are collected and the mmsCD14 content was determined by ELISA.

Further characterisation by reverse phase HPLC was carried out to confirm the purity of the protein. The selected fractions were pooled , desalted with PBS, and kept aliquoted at -70°C until further use. The purified material was routinely characterised by N-terminal sequencing, amino acid analysis, SDS-Page, and mass spectrometry.

### **Test 2: Detection of mmsCD14.**

In vitro stimulation studies of intestinal epithelial cell lines (HT29 and SW620) with several dose of LPS (Sigma O55B5) or with *E. Coli* bacteria in the presence and/or absence of either mature human, buffalo or bovine milk, and anti-CD14 antibodies were carried out.

The human intestinal epithelial cells HT29 (CD14-negative) were stimulated with varying concentrations of LPS (0.1 to 1000ng/ml) in the presence or absence of human AB serum (10%). After 24h culture at 37°C, culture supernatants were collected and tested for IL-8 release by ELISA. The levels of IL-8 were compared with those detected by stimulating the HT29 with the same amounts of LPS in the absence of serum and the presence of human breast milk (1.7%). In some experiments, the anti-CD14 specific mAb MY4 (20 µg/ml), which binds to the same epitope as LPS on the sCD14 molecule, was used to block the stimulation mediated by the human milk or serum.

As shown in figure 2, neither LPS alone nor human serum or human milk alone were able to induce significant levels of IL-8. However LPS was capable of inducing substantial amounts of IL-8 in the presence of either human serum or human milk. This effect was abrogated by CD14-specific monoclonal antibodies MY4, but not by an irrelevant monoclonal antibody (IgG2b, MOPC-141). Similar results were obtained with the other intestinal epithelial cell line SW620 and with differentiated HT29 cells.

### **Test 3: mmsCD14 quantitative determination in human milk**

Concentration of mmsCD14 in human milk was determined by a human CD14-specific ELISA test (IBL, Germany). Samples taken in the first days of lactation had a higher amount of sCD14 than the overall average:  $75.4 \pm 19.1 \mu\text{g/ml}$  compared to  $52.9 \pm 24.0 \mu\text{g/ml}$ . This is thought to be at least partially due to leakage of serum sCD14 into the colostrum.

#### **Test 4: Functional effect of milk-derived sCD14**

In vitro stimulation studies of astrocytoma (U373) cell lines with several dose of lipopolysaccharides, 10pg/ml to 5pg/ml, in the presence and/or absence of human or bovine milk, human or foetal calf serum, and anti-CD14 antibodies were carried out.

The human astrocytoma cell line U373 (CD14 negative) was stimulated with varying concentrations of lipopolysaccharides, 1pg/ml to 10ng/ml, in the presence or absence of human AB serum (10% or 1%) and soluble recombinant human CD14 (3 ug/ml). After 48h culture at 37°C, culture supernatants were collected and tested for IL-6 release by ELISA. The levels of IL-6 were compared with those detected by stimulating the U373 with the same amounts of lipopolysaccharides in the absence of serum and the presence of 1% human milk. In some experiments, the anti-CD14 specific mAbs MEM-18 and MY4 (15ug/ml), which bind to the same epitope as lipopolysaccharides on the sCD14 molecule, was used to block stimulation mediated by human milk or serum.

Neither lipopolysaccharides alone nor 0.5% or 1% human milk alone are able to induce significant levels of IL-6. However, lipopolysaccharides were capable of inducing substantial amounts of IL-6 in the presence of mature human milk (0.5 and 1%). This effect was abrogated by two CD14-specific monoclonal, antibodies, MEM-18 and MY4, but not by an irrelevant monoclonal antibody (iMab MOPC-21). MEM-18 and MY4 were also able to block the release of IL-6 induced by lipopolysaccharides in the presence of 10 AB human serum, albeit partially, suggesting that other mechanisms of IL-6 release independent of CD14 may operate in human serum but not in mature milk.

In conclusion, mature milk-derived sCD14 is biologically active and capable of mediating cell activation by lipopolysaccharides. Differences in the biological activities are observed between serum sCD14 and mature milk-derived sCD14.



In addition, the contribution of mmsCD14 on the stimulation of intestinal epithelial cells by Gram-negative non-pathogenic bacteria was tested. HT29 cells were stimulated with varying amounts of *E. Coli* ( $1 \times 10^3$  to  $5 \times 10^6$  CFU per ml) in the presence or absence mature human breast milk (1.7%). After 24h culture at 37°C, culture supernatants were collected and tested for IL-8 release by ELISA. The levels of IL-8 were compared with those detected by stimulating the HT29 with the same amounts of LPS in the absence of milk and the presence of human AB serum (10%).

As shown in figure 3, *E. Coli* alone was unable to induce significant levels of IL-8. However Incubation of *E.Coli* in the presence of either human serum or human milk was capable of inducing substantial amounts of IL-8. This effect was abrogated by CD14-specific monoclonal antibodies MY4, but not by the irrelevant antibody (IgG2b).

#### **Test 5: Production of mmsCD14 from natural sources.**

Purification of mmsCD14 with anti-sCD14 monoclonal antibodies, production of anti-mmsCD14 polyclonal antibody and large scale purification immunoaffinity chromatography and ion exchange chromatography.

##### **a. Immunoaffinity chromatography for purification of sCD14 from mature milk (bovine, buffalo, goat or sheep)**

Small scale purification of mmsCD14 was performed by immunoaffinity chromatography using a purified anti-sCD14 monoclonal antibody, MY4 (Coulter Immunotech, USA). Briefly, a diluted mature milk sample was applied to an anti-CD14-Sepharose 4B matrix. After washing, the column was eluted with 100 mM Glycine.HCl, pH 2.5. Fractions are collected and neutralized. The mmsCD14 content of each fraction was determined by an anti-sCD14 ELISA test (IBL, Hamburg, Germany), and the purity was analysed by SDS-PAGE and silver staining. The selected fractions were pooled and kept in -20°C until further use.

Polyclonal antibodies against mmsCD14 were obtained by immunisation of rabbits with the antigen-adjuvant mixture. Briefly, an emulsion composed of 0.5 mg/ml purified mmsCD14 and 2 ml complete Freund adjuvant (Sigma, St Louis, MO) with insoluble *Mycobacterium tuberculosis* bacilli was injected into multiple intramuscular sites. The animal was bled 14 days following the first immunisation. Booster immunisation using incomplete Freund adjuvant (Sigma) was performed 6

weeks after priming immunisation and with intervals of 2-3 weeks thereafter. Bleedings were performed 10-14 days after immunisation. The antibody titers were performed by ELISA.

- Small scale purification of sCD14 from milk was performed by immunoaffinity chromatography using the purified polyclonal antiserum.

### Example 1

Formula for low-birth-weight infants, in powder form was prepared.

The formula has the composition (per 100 g of powder) which is described in the table I below.

10

**Table I**

| <b>Nutrient</b>         | <b>Unit</b> | <b>Amount</b> |
|-------------------------|-------------|---------------|
| Total fat               | g           | 24            |
| Total protein           | g           | 14.4          |
| Total carbohydrates     | g           | 55.9          |
| MmsCD14                 | mg          | 20            |
| Sodium                  | mg          | 180           |
| Potassium               | mg          | 530           |
| Chloride                | mg          | 280           |
| Calcium                 | mg          | 490           |
| Phosphorus              | mg          | 320           |
| Magnesium               | mg          | 54            |
| Manganese               | µg          | 34            |
| Vitamin A               | IU          | 1500          |
| Vitamin D               | IU          | 490           |
| Vitamin E               | IU          | 9.8           |
| Vitamin K <sub>1</sub>  | µg          | 59            |
| Vitamin C               | mg          | 79            |
| Vitamin B <sub>1</sub>  | mg          | 0.29          |
| Vitamin B <sub>2</sub>  | mg          | 0.66          |
| Niacin                  | mg          | 4.9           |
| Vitamin B <sub>6</sub>  | mg          | 0.37          |
| Folic acid              | µg          | 290           |
| Pantothenic acid        | mg          | 2.2           |
| Vitamin B <sub>12</sub> | µg          | 1.1           |
| Biotin                  | µg          | 11            |
| Choline                 | mg          | 37            |
| <b>Nutrient</b>         | <b>Unit</b> | <b>Amount</b> |
| Inositol                | mg          | 22            |
| Taurine                 | mg          | 39            |
| Carnitine               | mg          | 7.9           |
| Iron                    | mg          | 7.4           |
| Iodine                  | µg          | 49            |

|        |    |      |
|--------|----|------|
| Copper | mg | 0.44 |
| Zinc   | mg | 3.7  |

The formula was reconstituted by mixing 142g of powder to 900mL of water to give 1L of ready-to-drink preparation. The composition given above can vary to accommodate for local directives concerning the amounts of specific ingredients.

- 5 Other trace elements (e.g. selenium, chromium, molybdenum, fluoride) may be added in an adequate amount according to age of the intended consumer. Nucleosides and/or nucleotides can also be present.

### Example 2

- 10 Starter formula for infants (from birth to 4-5 months), in powder form was prepared.

The formula has the composition (per 100 g of powder) which is described in the table II below.

**Table II**

| Nutrient                | Unit | Amount |
|-------------------------|------|--------|
| Total fat               | g    | 25.8   |
| Total protein           | g    | 11.5   |
| Total carbohydrates     | g    | 57.8   |
| mmsCD14                 | mg   | 20     |
| Sodium                  | mg   | 120    |
| Potassium               | mg   | 460    |
| Chloride                | mg   | 360    |
| Calcium                 | mg   | 320    |
| Nutrient                | Unit | Amount |
| Phosphorus              | mg   | 160    |
| Magnesium               | mg   | 35     |
| Manganese               | µg   | 36     |
| Vitamin A               | IU   | 1500   |
| Vitamin D               | IU   | 310    |
| Vitamin E               | IU   | 6.1    |
| Vitamin K <sub>1</sub>  | µg   | 42     |
| Vitamin C               | mg   | 41     |
| Vitamin B <sub>1</sub>  | mg   | 0.31   |
| Vitamin B <sub>2</sub>  | mg   | 0.69   |
| Niacin                  | mg   | 3.8    |
| Vitamin B <sub>6</sub>  | mg   | 0.38   |
| Folic acid              | µg   | 46     |
| Pantothenic acid        | mg   | 2.3    |
| Vitamin B <sub>12</sub> | µg   | 1.1    |

|           |    |      |
|-----------|----|------|
| Biotin    | µg | 11   |
| Choline   | mg | 38   |
| Inositol  | mg | 23   |
| Taurine   | mg | 41   |
| Carnitine | mg | 8.2  |
| Iron      | mg | 6.1  |
| Iodine    | µg | 25   |
| Copper    | mg | 0.31 |
| Zinc      | mg | 3.8  |

The formula was reconstituted by mixing 132g of powder to 900mL of water to give 1L of ready-to-drink preparation. The composition given above can vary to accommodate for local directives concerning the amounts of specific ingredients.

- 5 Other trace elements (e.g. selenium, chromium, molybdenum, fluoride) may be added in adequate amount according to age of the intended consumer. Nucleosides and/or nucleotides can also be present.

### Example 3

A formula for infants, from 5 months of age, is prepared.

- 10 The formula has the composition (per liter of ready to use preparation) which is described in the table III below.

**Table III**

| <b>Nutrient</b>        | <b>Unit</b> | <b>Amount</b> |
|------------------------|-------------|---------------|
| Total fat              | g           | 29.4          |
| Total protein          | g           | 22.4          |
| Total carbohydrates    | g           | 78.9          |
| mmsCD14                | mg          | 25            |
| Sodium                 | mg          | 320           |
| Potassium              | mg          | 1060          |
| Chloride               | mg          | 760           |
| Phosphorus             | mg          | 680           |
| Calcium                | mg          | 820           |
| Magnesium              | mg          | 73            |
| Manganese              | µg          | 41            |
| Vitamin A              | IU          | 2700          |
| Vitamin D              | IU          | 600           |
| Vitamin E              | IU          | 8             |
| Vitamin K <sub>1</sub> | µg          | 30            |
| Vitamin C              | mg          | 67            |
| Vitamin B <sub>1</sub> | mg          | 1             |
| Vitamin B <sub>2</sub> | mg          | 1.6           |
| Niacin                 | mg          | 18            |

|                         |             |               |
|-------------------------|-------------|---------------|
| Vitamin B <sub>6</sub>  | mg          | 1.3           |
| Folic acid              | µg          | 200           |
| Pantothenic acid        | mg          | 4.7           |
| Vitamin B <sub>12</sub> | µg          | 1.3           |
| Biotin                  | µg          | 23            |
| Choline                 | mg          | 67            |
| <b>Nutrient</b>         | <b>Unit</b> | <b>Amount</b> |
| Inositol                | mg          | 34            |
| Iron                    | mg          | 11            |
| Iodine                  | µg          | 140           |
| Copper                  | mg          | 0.8           |
| Zinc                    | mg          | 8             |

The composition given above can be varied to accommodate for local directives concerning the amounts of specific ingredients. Other trace elements (e.g. selenium, chromium, molybdenum, fluoride) may be added in an adequate amount according to age of the intended consumer. Nucleosides and/or nucleotides can also be present.

#### Example 4

A formula for infants, from 5 months of age, containing partly hydrolyzed protein for low allergenicity, in powder form was prepared. The formula has the composition (per 100g of powder) which is described in the followed table IV.

**Table IV**

| <b>Nutrient</b>        | <b>Unit</b> | <b>Amount</b> |
|------------------------|-------------|---------------|
| Total fat              | g           | 22            |
| Total protein          | g           | 15.2          |
| Total carbohydrates    | g           | 57            |
| mmsCD14                | Mg          | 20            |
| Sodium                 | Mg          | 170           |
| Potassium              | Mg          | 580           |
| Chloride               | Mg          | 340           |
| Calcium                | Mg          | 540           |
| Phosphorus             | Mg          | 230           |
| Magnesium              | Mg          | 39            |
| Manganese              | µg          | 29            |
| Vitamin A              | IU          | 1900          |
| Vitamin D              | IU          | 440           |
| Vitamin E              | IU          | 5.8           |
| <b>Nutrient</b>        | <b>Unit</b> | <b>Amount</b> |
| Vitamin K <sub>1</sub> | µg          | 22            |
| Vitamin C              | Mg          | 49            |

|                         |    |      |
|-------------------------|----|------|
| Vitamin B <sub>1</sub>  | Mg | 0.73 |
| Vitamin B <sub>2</sub>  | Mg | 1.2  |
| Niacin                  | Mg | 13   |
| Vitamin B <sub>6</sub>  | Mg | 0.97 |
| Folic acid              | µg | 150  |
| Pantothenic acid        | Mg | 3.4  |
| Vitamin B <sub>12</sub> | µg | 0.97 |
| Biotin                  | µg | 17   |
| Choline                 | Mg | 49   |
| Inositol                | Mg | 24   |
| Iron                    | Mg | 8.3  |
| Iodine                  | µg | 100  |
| Copper                  | Mg | 0.58 |
| Zinc                    | Mg | 5.8  |

The formula was reconstituted by mixing 138g of powder to 900mL of water to give 1L of ready-to-drink preparation. The composition given above can be varied to accommodate for local directives concerning the amounts of specific ingredients permitted. Other trace elements (e.g. selenium, chromium, molybdenum, fluoride) may be added in an adequate amount according to age of the intended consumer. Nucleosides and/or nucleotides can also be present.

#### Example 5

A formula that can be administered to an infant suffering from bovine milk allergy, comprising ultrafiltered/microfiltered extensively hydrolyzed protein, in powder form was prepared.

The formula had the composition (per 100 g of powder) which is described in the following table V.

**Table V**

| Nutrient            | Unit | Amount |
|---------------------|------|--------|
| Total fat           | g    | 24     |
| Total protein       | g    | 16.5   |
| Total carbohydrates | g    | 52     |
| MmsCD14             | mg   | 20     |
| Sodium              | mg   | 290    |
| Potassium           | mg   | 600    |
| Chloride            | mg   | 500    |
| Calcium             | mg   | 400    |
| Phosphorus          | mg   | 250    |
| Magnesium           | mg   | 60     |
| Manganese           | µg   | 337    |

|                         |             |               |
|-------------------------|-------------|---------------|
| Vitamin A               | IU          | 1200          |
| Vitamin D               | IU          | 290           |
| Vitamin E               | IU          | 5.8           |
| Vitamin K <sub>1</sub>  | µg          | 26            |
| Vitamin C               | mg          | 39            |
| Vitamin B <sub>1</sub>  | mg          | 0.29          |
| Vitamin B <sub>2</sub>  | mg          | 0.63          |
| Niacin                  | mg          | 3.6           |
| Vitamin B <sub>6</sub>  | mg          | 0.34          |
| Folic acid              | µg          | 43            |
| Pantothenic acid        | mg          | 2.2           |
| Vitamin B <sub>12</sub> | µg          | 0.96          |
| Biotin                  | µg          | 11            |
| Choline                 | mg          | 58            |
| Inositol                | mg          | 29            |
| Taurine                 | Mg          | 39            |
| Carnitine               | Mg          | 14            |
| Iron                    | Mg          | 7.2           |
| Iodine                  | µg          | 39            |
| Copper                  | Mg          | 0.39          |
| Zinc                    | Mg          | 3.4           |
| <b>Nutrient</b>         | <b>Unit</b> | <b>Amount</b> |
| Chromium                | µg          | 14            |
| Molybdenum              | µg          | 39            |
| Fluoride                | µg          | 140           |

The formula was reconstituted by mixing 150g of powder to 900ml of water to give 1l of a ready-to-drink preparation. The composition can be varied to accommodate local directives concerning the amounts of specific ingredients permitted. Other trace elements (e.g. selenium) may be added in an adequate amount according to the age of the intended consumer. Nucleosides and/or nucleotides can also be present.

It should be understood that various changes and modifications to the presently preferred embodiments described herein will be apparent to those skilled in the art. Such changes and modifications can be made without departing from the spirit and scope of the present invention and without diminishing its attendant advantages. It is therefore intended that such changes and modifications be covered by the appended claims.

07-11-2000

INT. 24. 11. 2000

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## CLAIMS

1. An isolated protein having no O-glycosylation and at least 70% homology of amino acid sequence with human serum CD14.
2. A protein according to claim 1 wherein its amino acid sequence is at least about 95% homologous with the amino acid sequence of human serum CD14.
3. A protein according to claim 1 wherein its amino acid sequence is at least about 95% homologous with the amino acid sequence of bovine or buffalo CD14.
4. A protein according to any preceding claim wherein the protein has a plurality of N-glycosylation sites.
5. A protein according to claim 4 which comprises from about 3 to about 5 N-glycosylation sites.
6. A protein according to any preceding claim wherein the presence of the protein is not revealed in a Western blot by the known commercially available anti-CD14 monoclonal antibody MY4.
7. A protein according to any preceding claim isolated from mature human, bovine or buffalo milk.
8. A method of production of a protein according to any preceding claim which comprises isolating it from mature milk.
9. A composition which comprises a protein according to any one of claims 1 to 7 excluding mature milk.
10. A composition according to claim 9 which comprises a physiologically



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acceptable carrier, adjuvant or diluent.

11. A composition according to claim 9 or 10 which comprises a casein fraction and milk fat.
12. A composition according to any one of claims 9 to 11 which comprises a lipopolysaccharide binding protein (LBP), decay accelerating factor (DAF, CD55), bactericidal permeability increasing factor (BPI) or a mixture thereof.
13. A composition according to any one of claims 9 to 12 in the form of an infant formula or enteral composition.
14. A composition according to any one of claims 9 to 13 which comprises at least 25 $\mu$ g/ml of a protein according to any one of claims 1 to 7.
15. A method of production of a composition according to any one of claims 9 to 14 which comprises adding a protein according to any one of claims 1 to 7.
16. Use of a CD14 variant or fragment that retains the bioactivity of CD14 in the manufacture of a nutritional product or medicament for the treatment or prevention of a GI tract disorder.
17. Use according to claim 16 wherein the GI tract disorder is selected from the group which comprises inflammatory bowel disease, Crone's disease, ulcerative colitis, coeliac disease, intestinal bacterial overgrowth, chronic hepatitis, necrotising enterocolitis, neonatal sepsis, infectious diarrhoea, disbalance of the intestinal microflora, allergic reactions to food and bacterial translocation from the gut to other compartments of the body.
18. A method of treatment or prevention of a GI tract disorder which comprises administering an effective amount of a CD14 variant or fragment thereof which

retains the bioactivity of CD14.

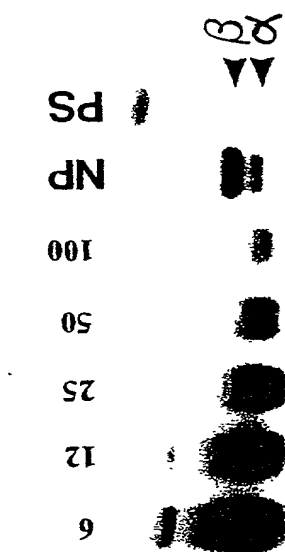
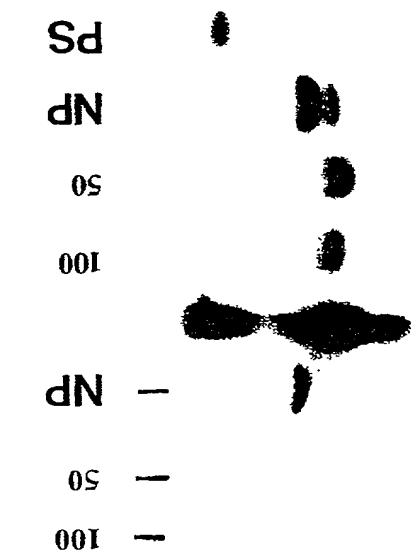
19. A method of treatment according to claim 18 wherein the GI tract disorder is selected from the group which comprises inflammatory bowel disease, Crohn's disease, ulcerative colitis, coeliac disease, intestinal bacterial overgrowth, chronic hepatitis, necrotising enterocolitis, neonatal sepsis, infectious diarrhoea, disbalance of the intestinal microflora, allergic reactions to food and bacterial translocation from the gut to other compartments of the body.

[illegible]

### ABSTRACT

A new isolated protein is described having no O-glycosylation and at least 70% homology of amino acid sequence with human serum CD14. In addition, a composition comprising an effective amount of the protein and use of a CD14 variant  
5 in the treatment or prevention of a disorder of the gastro-intestinal tract of a mammal are described. In particular the disorder is selected from the group which comprises inflammatory bowel disease, Crones disease, ulcerative cholitis, coeliac disease, intestinal bacterial overgrowth, chronic hepatitis, necrotising enterocolitis, neonotal sepsis, infectious diarrhoea, disbalance of the intestinal microflora, allergic reactions to  
10 food and bacterial translocation from the gut to other compartments of the body.

Figure 1



-Anti C-t 348-356-

Figure 2

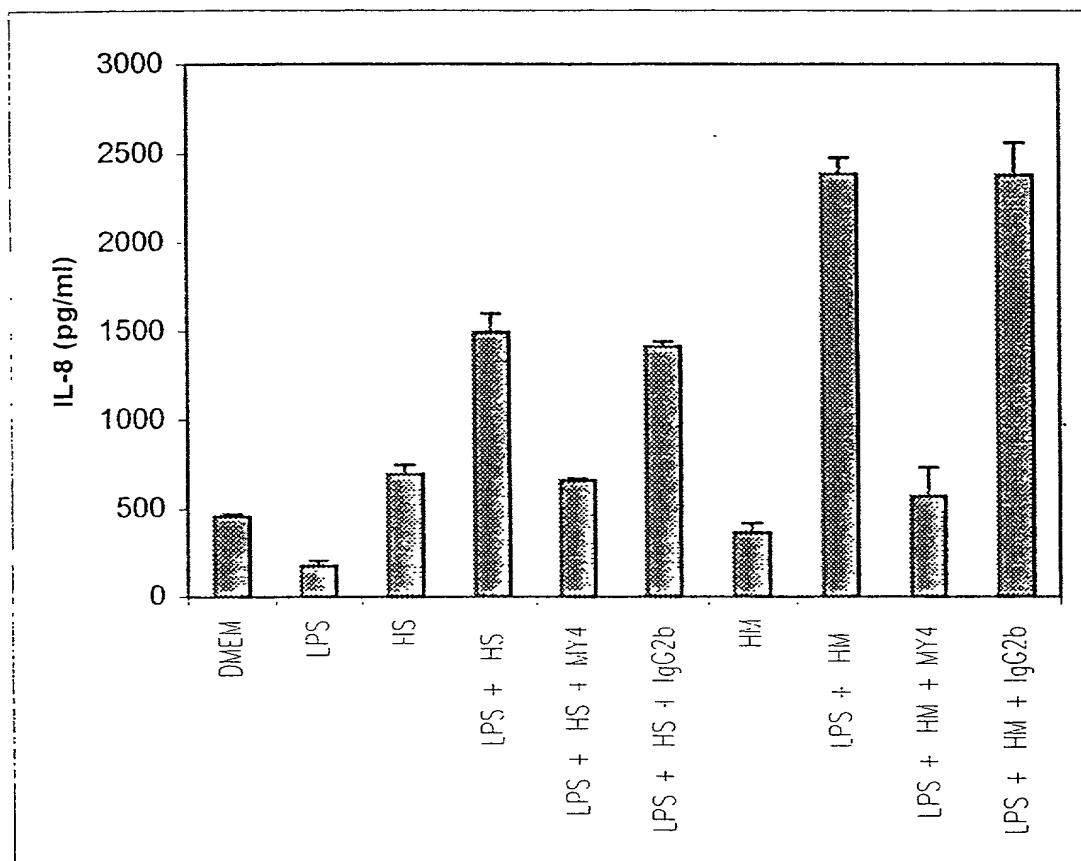
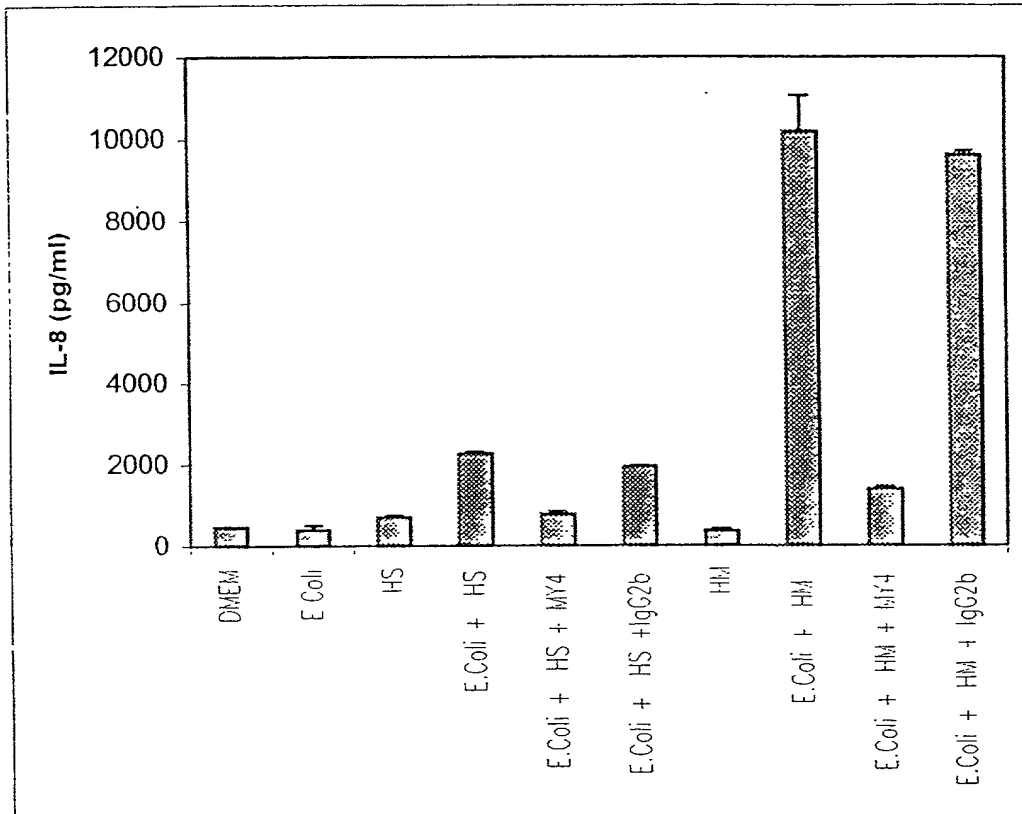


Figure 3



Docket No.

113308-002

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**PROTEIN FOR TREATMENT OR PREVENTION OF A GI TRACT DISORDER**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on April 17, 2001 as United States Application No. or PCT International  
 Application Number 09/807,709  
 and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

98203501.6

Europe

20 October 1998

☐

(Number)

(Country)

(Day/Month/Year Filed)

PCT/EP99/07911

WIPO

15 October 1999

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

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